

House File 2097 - Introduced

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BY HANSON

A BILL FOR

1 An Act requiring the use of safety helmets by certain young
2 persons operating motorized bicycles, and making penalties
3 applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.275, Code 2009, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 9. *Motorized bicycle operators —*
4 *helmets.* A person who is under seventeen years of age shall
5 wear a properly adjusted and fastened safety helmet when
6 operating a motorized bicycle. The safety helmet shall be
7 worn at all times when the motorized bicycle is in motion.
8 For purposes of this subsection, "safety helmet" means a
9 motorcycle safety helmet that complies with the standards and
10 specifications established under 49 C.F.R. § 571.218.

11 Sec. 2. Section 805.8A, subsection 6, paragraph b, Code
12 Supplement 2009, is amended to read as follows:

13 b. For violations under section 321.275, subsections 1
14 through 7, and subsection 9, sections 321.277A, 321.315,
15 321.316, 321.318, 321.363, and 321.365, the scheduled fine is
16 twenty-five dollars.

17 EXPLANATION

18 This bill requires a person under 17 years of age to wear
19 a safety helmet when operating a motorized bicycle. The bill
20 specifies that the safety helmet must meet federal standards
21 for motorcycle helmets and must be worn by the driver at all
22 times when the motorized bicycle is in motion.

23 Pursuant to current law, a violation of motorized bicycle
24 operating requirements is a simple misdemeanor punishable by a
25 scheduled fine of \$25.

26 In addition, a violation of the helmet requirement
27 qualifies as a moving violation and, as such, is grounds for
28 cancellation of the person's license to operate a motorized
29 bicycle. A person whose license is canceled may reapply for
30 a license after 30 days. If the person who violates the
31 helmet requirement while operating a motorized bicycle has
32 an instruction permit or intermediate driver's license, a
33 conviction for a moving violation subjects the permittee or
34 licensee to remedial driver improvement action and may be cause
35 for suspension of the license or permit. If the person has a

1 special minor's license, or "school" license, a conviction for
2 a moving violation is grounds for license suspension at the
3 discretion of the department of transportation, and two such
4 violations result in mandatory revocation of the license.